

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

CONAGRA FOODS FOOD INGREDIENTS:

COMPANY, INC., :

:

Plaintiff, :

:

v. : CASE NO.: 1-09-CV-00167 (WLS)

:

GEORGIA FARM SERVICES, :

:

Defendant. :

:

FINAL JUDGMENT

The jury having returned its verdict Wednesday, January 11, 2012, the Court hereby enters judgment on the verdict as follows:

1. The jury returned a verdict awarding Plaintiff \$ 16,671.80 in nominal damages.
2. On September 8, 2010, Defendant served an offer of judgment pursuant to Federal Rule of Civil Procedure 68 in the amount of \$20,000. Plaintiff did not accept that offer within fourteen days of service of the offer.
3. Having received an award at trial less favorable than the Federal Rule of Civil Procedure 68 Offer of Judgment served by Defendant on September 8, 2010, Plaintiff is not entitled to receive its cost in this matter incurred after September 8, 2010.
4. Defendant shall pay Plaintiff's costs incurred up to and including September 8, 2010.
5. Pursuant to the cost-shifting mechanism of Rule 68, Plaintiff shall pay Defendant its costs incurred after September 8, 2010.

6. Judgment is entered in favor of Plaintiff in an amount of \$ 16, 671.80 plus interest from January 11, 2012 at the rate of 0.17 % per annum until paid in full.

SO ORDERED, this 24th day of February, 2012.

/s/ W. Louis Sands

**THE HONORABLE W. LOUIS SANDS,
UNITED STATES DISTRICT COURT**